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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,561	11/19/2003	Kazuhiro Ukida	UKID3001/EM	5056

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EXAMINER
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SILBERMANN, JOANNE

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/715,561	<b>Applicant(s)</b> UKIDA ET AL.	
	<b>Examiner</b> Joanne Silbermann	<b>Art Unit</b> 3611	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2006.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 1-4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Claims 1-4 stand withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on February 24, 2006.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art shown in Figure 7 and defined on pages 1 and 2 of the Specification (Figure 7) in view of Ogden, US #4,478,666.
3. Figure 7 shows an equipment utilizing water comprising operation section 60, member 55, transparent film 59 on member 55 and outer case 51. Figure 7 fails to disclose making member 55 from transparent material. Ogden shows a control panel (Figure 1) that includes transparent member 16 which includes transparent cover 18 on a front surface and decoration 50 on opposite surface 65 of transparent member 16. In view of the teachings of Ogden it would have been obvious to a person having ordinary skill in the art to modify the admitted prior art of Figure 7 by making member 55 transparent since this would allow a decoration to be placed on the lower surface of the

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transparent member which would allow the decoration/indicia to be protected from damage in a better manner and would help to create a more aesthetically pleasing display panel on the equipment utilizing water.

4. Figure 7 does not specifically describe the outer case as being colored, however this is well known in the art. The examiner takes official notice of numerous pieces of equipment utilizing water (crock pots, coffee makers, rice steamers, humidifiers, etc.) having an outer case that is colored. Many such appliances are available in a choice of colors specifically so that the buyer may choose the color they prefer. Additionally, the outer case of such a piece of equipment forms a cover.

5. The equipment shown in Figure 7 is described as being made of resin (Specification page 1, line 21). Neither this equipment nor that shown in Ogden is described as being made from an integral molding method, however the method of forming the device is not germane to the issue of patentability of the device itself.

Therefore, this limitation has not been given patentable weight.

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art shown in Figure 7 and defined on pages 1 and 2 of the Specification (Figure 7) and Ogden as applied to claim 5 above, and further in view of Miwa, US #4,625,097.

7. Figure 7 teaches Applicant's basic inventive concept except for placing a claw and/or boss into which a screw is screw-fitted on member 51 in order to attach the outer member to the equipment utilizing water. Miwa teaches placing boss 39 (Figure 2) which receives screw 43 on a colored member for attaching an outer member to the

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equipment utilizing water. In view of the teachings of Miwa, it would have been obvious to one of ordinary skill to modify Figure 7 by providing a boss that receives a screw on the colored member since this would allow the outer member to be attached to the equipment utilizing water in a faster, easier and more secure manner.

8. Regarding claim 7, Figure 7 and Ogden teach Applicant's basic inventive concept except for attaching a decoration to a portion of the transparent film. Miwa shows (Figures 1-4) equipment utilizing water including upper transparent member 51 including decoration/indicia 52, 53 thereon. In view of the teachings of Miwa it would have been obvious to one of ordinary skill in the art to modify Applicant's Figure 7 by attaching a decoration/indicia to the transparent film since this would allow additional information to be displayed on the display panel as well as to allow the decoration/indicia to be displayed in a more eye-catching and aesthetically pleasing manner.

### ***Response to Arguments***

9. Applicant's arguments filed 15 August 2006 have been fully considered but they are not persuasive.

10. Applicant argues that the references cited do not equipment utilizing water, transparent film, a transparent member, or a colored member. As discussed above, Figure 7 shows an appliance utilizing water having transparent film 59, a colored member (outer case) and reasons for making member 55 transparent. The device of Figure 7 is also described as using resin to form an outer member which is then

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integrated with the film. The process by which this is done is not given patentable weight in the instant article claims.

11. Applicant argues that the references do not show the layers tightly formed together, however the claim language recites the members as being formed of identical material "or a material tightly formable with the transparent member". Such language does not definitely claim these layers as being tightly formed.

12. Applicant argues that there is no suggestion or motivation to modify or combine the references, however such motivations are present in the above (and previous) rejection.

### ***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joanne Silbermann whose telephone number is 571-272-6653. The examiner can normally be reached on M-F 5:30 - 2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Joanne Silbermann  
Primary Examiner  
Art Unit 3611

js  
13 November 2006